

**CONTINUED REGULAR CITY COUNCIL  
REDEVELOPMENT AGENCY  
PUBLIC FINANCING AUTHORITY MINUTES  
CITY OF IMPERIAL BEACH  
June 2, 2005  
CLOSED SESSION – 5:00 P.M.  
CONTINUED REGULAR MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
825 Imperial Beach Boulevard  
Imperial Beach, California**

**CALL TO ORDER**

MAYOR ROSE called the Closed Session Meeting to order at 5:20 p.m.

**ROLL CALL**

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
----------------	---

**CLOSED SESSION**

**MOTION BY ROSE, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Pursuant to Government Code Section 54956.9(a):

Names of Cases:

John Carr v. City of Imperial Beach, et. al. (GIS 014362)  
Schmidt v. City of Imperial Beach (GIC 771379)

**CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION.**

Significant exposure to litigation pursuant to Government Code Section 54956.9(B)(2):

Number of potential cases: 1

**MOTION CARRIED UNANIMOUSLY.**

MAYOR ROSE adjourned the meeting to Closed Session at 5:21 p.m. and she reconvened the meeting to Open Session at 6:08 p.m. Reporting out of Closed Session, MAYOR ROSE announced Council met earlier in Closed Session, received information from staff, gave direction to staff and had nothing to report at this time.

**CALL TO ORDER**

MAYOR ROSE called the Continued Regular Meeting to order at 6:10 p.m.

### **ROLL CALL**

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney
Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald

### **PLEDGE OF ALLEGIANCE/INVOCATION**

MAYOR ROSE led everyone in the Pledge of Allegiance and asked everyone to bow his or her head for a moment of silence.

### **AGENDA CHANGES**

In regard to Item No. 6.1, CITY MANAGER BROWN announced the property owner requested that the public hearing be continued to the June 15<sup>th</sup> City Council meeting.

### **MAYOR/COUNCIL ANNOUNCEMENTS**

COUNCILMEMBER MCCOY spoke about attending the Habitat for Heroes program that included over 400 students from Bayside Elementary and Imperial Beach Elementary schools, and she shared pictures of the event via PowerPoint presentation.

COUNCILMEMBER MCLEAN commended Councilmember Winter for her editorial in the Union-Tribune today regarding water quality and Tijuana River watershed, and he also commended Mayor Rose for defending the City regarding beach closures; he also spoke about Mayor Rose throwing out the first pitch at a recent San Diego Padres game; and he announced that he spoke at a Civics class at Mar Vista High School.

MAYOR ROSE encouraged all to read the editorial written by Councilmember Winter which detailed the efforts of the City on water quality issues; she spoke about the report card issued by Heal the Bay, she noted that the City was given unfair press as the media captured one of the "Beach Bummer" locations as being in the City of Imperial Beach. She clarified that the area referenced in the report is actually located south of Imperial Beach. She expressed the importance in conveying to the community that the water was safe, the City goes above and beyond what the County does to perform testing and monitoring. She spoke about attending the Lords of Dog Town sneak preview and also spoke about an episode of California's Gold, which features Imperial Beach as well as an interview with Councilmember McLean; she congratulated City Clerk Hald for obtaining the Certified Municipal Clerk designation.

### **COMMUNICATIONS FROM CITY STAFF**

None.

## **PUBLIC COMMENT**

GREG NEIL thanked Councilmember Winter and City Manager Brown for their help on improvement of sidewalks.

## **PRESENTATIONS/PROCLAMATIONS (1.1 - 1.2)**

### **1.1 PRESENTATION OF COURSE COMPLETION CERTIFICATES TO COMMUNITY EMERGENCY RESPONSE TEAM ACADEMIES 2 & 3. (0210-11)**

CITY MANAGER BROWN introduced the item.

EHREN KAHLE, firefighter/paramedic and lead instructor for the CERT program, gave a background on the CERT program; he recognized the 3<sup>rd</sup> graduating class in attendance: Vanessa Guerrero, Debbie Elder, Rick Nichols, Nick Prince, Jeff Scott, Christian Gochicoa, Fernando Heyer; and he announced the 4<sup>th</sup> academy will begin on September 17<sup>th</sup>.

### **1.2 PRESENTATION BY SHERIFF'S CAPTAIN PARKER – GANG RELATED ACTIVITY. (0260-35)**

CITY MANAGER BROWN introduced the item.

SHERIFF'S CAPTAIN PARKER gave a report on gang related activity and she noted that in response to her concern for the 74% case issuance by the District Attorney's office, a Chief Deputy District Attorney from the South Bay Court House now comes to Imperial Beach every week to assign cases; she anticipated an increase in the rate of case issuance next year which would result in lower crime rates.

## **CONSENT CALENDAR (2.1 - 2.6)**

CITY ATTORNEY LOUGH requested that City Council consider the corrected resolution for Item No. 2.3, which was submitted as last minute agenda information.

**MOTION BY ROSE, SECOND BY WINTER, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.6, INCLUDING THE REVISED RESOLUTION NO. 2005-6164 THAT WAS SUBMITTED AS LAST MINUTE AGENDA INFORMATION. MOTION CARRIED UNANIMOUSLY.**

### **2.1 MINUTES.**

Approved the minutes of the Regular Meeting of May 3, 2005.

### **2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified Accounts Payable Numbers 59364 through 59429 for the period ending 05/16/05 and Payroll Register Numbers 35510 through 35569 for the period ending 05/12/05 in the amount of \$257,876.90.

- 2.3 RESOLUTION NO. 2005-6164 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING ADOPTION OF THE 2003 EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREEN BOOK), THE 2003 REGIONAL SUPPLEMENTS TO THE GREEN BOOK 2003, AND THE 2003 EDITION OF THE SAN DIEGO AREA REGIONAL STANDARD DRAWINGS. (0720-95)**
1. Received report; and
  2. Adopted Resolution No. 2005-6164.
- 2.4 ADOPT RESOLUTION NO. 2005-6165 AMENDING FY 04-05 SALARY AND COMPENSATION PLAN TO ADD THE POSITION DESCRIPTION AND SALARY RANGE FOR RESIDENTIAL FIRE/SAFETY INSPECTOR. (0510-20 & 0520-75)**  
Adopted Resolution No. 2005-6165.
- 2.5 ADOPT RESOLUTION NO. 2005-6166 AMENDING FY 04-05 SALARY AND COMPENSATION PLAN WITH A REVISED SALARY RANGE FOR REDEVELOPMENT COORDINATOR. (0520-75)**  
Adopted Resolution No. 2005-6166.
- 2.6 RATIFY LETTER TO CALIFORNIA COASTAL COMMISSION IN OPPOSITION TO A CONSISTENCY DETERMINATION RELATED TO MODIFICATIONS AT THE SBIWTP. (0620-75)**  
Ratified letter to California Coastal Commission.

**ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARING (3)**

None.

**ORDINANCES - SECOND READING & ADOPTION (4)**

None.

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6.1 - 6.2)**

**6.1 JOE CRISTILLI (APPLICANT/ARCHITECT) / BOB KIPPERMAN (PROPERTY OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 04-165), CONDITIONAL USE PERMIT (CUP 04-166), DESIGN REVIEW (DRC 04-167), SITE PLAN REVIEW (SPR 04-168), FOR A MIXED-USE DEVELOPMENT WITH A RETAIL COMMERCIAL SPACE AND THREE RESIDENTIAL UNITS LOCATED AT 201 PALM AVE., IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 755. (0600-20)**

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item and announced that the owner requested that the item be continued to the next regular meeting.

MAXINE CUMMINGS, owner of Mickey's Bar and Grill, expressed concern about the growth of weeds on the property and she submitted four pictures of the property for the record.

GREG NEIL supported the project; he spoke about a landscaping easement of five feet that is located on both sides of the street, he suggested release of it as part of the streetscape design, he spoke about the parking bank and he noted that there is a food and beverage restriction on the lot and he suggested a ban of such restrictions be considered in the future; he was concerned about public phones in the easement.

**MOTION BY ROSE, SECOND BY JANNEY, TO CONTINUE THE PUBLIC HEARING TO JUNE 15, 2005. MOTION CARRIED UNANIMOUSLY.**

**6.2 TENTATIVE MAP (TM 05-204) AND ADMINISTRATIVE COASTAL PERMIT (ACP 05-203) FOR THE PROPOSED CONVERSION OF TWELVE RESIDENTIAL UNITS TO CONDOMINIUM OWNERSHIP AT 575 7<sup>th</sup> ST., IN THE R-3000-D (TWO-FAMILY DETACHED RESIDENTIAL) ZONE. OWNER/APPLICANT: KEVIN AND NANCY MCCABE. MF 772. (0600-20)**

MAYOR ROSE declared the public open.

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY PLANNER KANANI gave a PowerPoint presentation on the item; she noted that the owner submitted a list of renovations and although the property is not subject to the new condominium ordinance, the owner has met some of the life safety conditions that are specified in the new ordinance; and she responded to Council's concerns regarding parking, noting that there is no requirement to bring the parking up to the current parking standard.

In response to Council's concerns regarding storage, KEVIN MCCABE, applicant, responded that there is no outside storage for the units.

**MOTION BY ROSE, SECOND BY JANNEY, TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2005-6162, APPROVING THE ADMINISTRATIVE COASTAL PERMIT (ACP 05-203) AND TENTATIVE MAP (TM 05-204), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS. MOTION CARRIED UNANIMOUSLY.**

## **REPORTS (7.1 - 7.5)**

### **7.1 VETERANS PARK MASTER PLAN CIP PROJECT - PERIMETER TREE OPTIONS. (0920-70)**

CITY MANAGER BROWN introduced the item and he stated that staff's recommendation is to continue with the Canary Island Pine.

PUBLIC WORKS DIRECTOR LEVIEN announced that e-mail correspondence from Bob Wadham was submitted as last minute agenda information; he gave a PowerPoint presentation, which showed the perimeter wall, as well as various types of trees; he noted that the 2002 Master Plan approved removal of the Australian Tea Tree and replacement with Canary Island Pine; he noted that the landscape consultant suggested the Brisbane Box Pine that would drop less needles than the Canary Island Pine; he requested Council's direction on whether or not to continue with trees and, if so, which type of tree.

BOB WADHAM spoke of the need to plant trees and plants for the production of oxygen; he requested that City Council consider green islands in parks and emphasized that all trees drop leaves.

CAROL KINNEY spoke against planting of trees immediately behind the fence; she expressed concern about various materials that have been thrown over the fence and onto her property and she requested that the trees located behind the fence be removed as soon as possible.

STEVE KINNEY stated that the trees currently behind the fence are a nuisance; he supported trees in parks but did not support them being planted immediately behind the wall.

DONALD MUELLER stated that the Canary Island Pines should not be planted within 20 to 25 feet of a cement structure and he noted that currently there is a tree that hangs over the fence and onto his garage roof; he complained about needles and branches that fall on his roof and he also complained about surface roots and the potential damage they can cause; he did not support the installation of gates at each property and he suggested that the property owners pay for the cost of installation of gates.

PUBLIC WORKS DIRECTOR LEVIEN recommended that the Canary Island Pines that are there now remain, staff continue with the planting of urban forests consisting of Canary Island Pine in the remaining open area of the wall, and staff remove the Australian Tea Trees.

COUNCILMEMBER WINTER explained that it is difficult to see what the design concept is without the schematics; she recommended that the information be brought back to Council showing the layout of the park.

COUNCILMEMBER MCCOY expressed the need to have more trees in the City, not fewer.

MR. WADHAM spoke about the canopy spread and root growth of the trees; he explained that it would be difficult to come up with a schematic without knowing the species of trees.

COUNCILMEMBER WINTER clarified that she did not want a schematic with the new trees but rather a schematic of the park as it exists today as a tool to help plan.

MAYOR PRO TEM JANNEY also requested a schematic.

MAYOR ROSE agreed that a drawing is important and suggested that the drawing include the soccer field, the trees that will be removed and replaced, and where the new trees would be planted in relationship to the soccer field.

CITY MANAGER BROWN recommended that staff come back with an overall plan for the park in August.

**MOTION BY ROSE, SECOND BY WINTER, TO CONTINUE THE ITEM TO AUGUST 3, 2005.  
MOTION CARRIED UNANIMOUSLY.**

MAYOR ROSE referred Mr. Kinney's request to remove the trees immediately from behind his property to the City Manager.

**7.2 VETERANS PARK MASTER PLAN – INFORMATION AND EDUCATIONAL KIOSK  
(SIGNAGE). (0920-70)**

CITY MANAGER BROWN introduced the item.

TODD ANDERSON, Creative Director with Switchfoot Creative, gave a PowerPoint presentation on the item and provided recommendations for the development of informational signage display at Veterans Park.

WILLIAM LANDRY, representing Fleet Reserve Branch 289, appreciated Council's attendance at the Memorial Day Service, he encouraged communication with the three local veterans organizations in Imperial Beach and he expressed concern about the absence of park signage from Imperial Beach Blvd.

MAYOR ROSE supported information on the close connection Imperial Beach has with the military and she spoke about the need for community input on a public art piece, a memorial and funding mechanisms.

COUNCILMEMBER JANNEY supported information on Veterans Park in a kiosk; he expressed the need to have signage of the park from Imperial Beach Blvd.

COUNCILMEMBER WINTER expressed concern about pedestrian safety and recommended that staff look into the installation of a crosswalk connecting City Hall to Veterans park and the library.

Discussion ensued regarding identification signage of the park from Imperial Beach Blvd. and informational signage located within the park containing information such as the history and relationship of the military to Imperial Beach. Discussion continued on the design materials with an emphasis on materials that do not require high maintenance, keeping the signage simple, not having a community bulletin board, and the preference for the use of exterior up lighting.

PUBLIC WORKS DIRECTOR LEVIEN announced that a letter from the Boys and Girls Club was submitted as last minute agenda information; he noted that they requested that the City work with them on the entry sign to the Boys and Girls Club and they are willing to fund the design and installation of the sign.

There was consensus of City Council to have Veterans Park and Boys and Girls Club signage that is similar in design to the concepts for City Hall as previously discussed by City Council, all of which is similar to the signage approved for the City's entryways.

SARAH CAMPBELL stated that Veterans Park is an all peoples park.

### **7.3 EL CAMINO REAL BELL MARKER PROJECT. (0160-40)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item showing the four proposed locations for the installation of a second mission bell in the city of Imperial Beach.

COUNCILMEMBER WINTER preferred the Dunes Park location adjacent to Seacoast Dr.

**MOTION BY WINTER, SECOND BY JANNEY, TO PLACE THE SECOND EL CAMINO REAL BELL MARKER AT DUNES PARK, ADJACENT TO SEACOAST DRIVE (ATTACHMENT 3 OF THE STAFF REPORT). MOTION CARRIED UNANIMOUSLY.**

### **7.4 NO ITEM.**

### **7.5 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)**

CITY MANAGER BROWN reported that City Planner Nakagawa attended the first meeting of the IBWC Technical Meeting and he stated that the agenda and concerns raised at the meeting were submitted as last minute agenda information. He also spoke about meeting with the San Diego Coastal Ocean Observing representatives; he reported that there was positive feedback on the system and additional meetings will take place regarding future usage and long term funding.

COUNCILMEMBER WINTER requested that San Diego Coastal Ocean Observing System (SDCOOS) be invited to present a final report on the project to City Council.

Discussion ensued regarding secondary treatment status.

MAYOR ROSE recommended that the letter under consent also be sent to our Congressional and State delegation. She recommended a cover letter be sent to Commissioner Durand with copies of all the letters.

MAYOR ROSE spoke about legislation drafted by Senator Barbara Boxer and noted that she forwarded the legislation to City Manager Brown and Councilmember Winter for review.

COUNCILMEMBER WINTER stated that under the ocean water quality section of the legislation, it mentioned enhancing funding for urban storm water runoff prevention efforts and expedites beach pollution testing and posting; she commented that at the Metro Commission meeting she requested that the bill be placed on their next agenda.

CITY ATTORNEY LOUGH stated that he would contact Senator Boxer's office on the timing of letters of support.

There was a consensus of City Council to send a general letter of support to Senator Boxer's office by June 8, 2005.

#### **7.6 FY 2005/2007 "SUPPLEMENTAL" BUDGET REQUESTS. (0330-30)**

CITY MANAGER BROWN introduced the item.

ADMINISTRATIVE SERVICES DIRECTOR HERRERA gave a report on the item, noting that the requests are for one-time costs of a non-recurring nature at a total cost of \$165,575. He noted that since there were no major changes made to the budget at the budget workshop, the items presented tonight would be incorporated into the final budget that will be presented to Council on June 15th.

ASSISTANT CITY MANAGER RITTER spoke about non-capital budget items.

MAYOR PRO TEM JANNEY emphasized the importance of getting the best deal on capital items.

**MOTION BY ROSE, SECOND BY MCCOY, TO APPROVE THE LIST OF \$165,575 OF SUPPLEMENTAL BUDGET REQUESTS FOR FY 2005/2007 AND APPROVE THE SUPPLEMENTAL BUDGET LIST THAT WILL BE COMING BACK FOR FINAL APPROVAL ON JUNE 15, 2005 AS PART OF THE TOTAL OPERATING BUDGET FOR FY 2005/2007. MOTION CARRIED UNANIMOUSLY.**

#### **REPORTS OF MAYOR AND COUNCILMEMBERS**

COUNCILMEMBER WINTER reported on the annual meeting of the San Diego Area Wastewater Management District.

The meeting adjourned at 9:25 p.m.

---

Diane Rose, Mayor

---

Attest:  
Jacqueline M. Hald, CMC  
City Clerk